

 <b>NORFOLK</b> Department of Police	<b>Administrative General Order ADM- 510: In- Car Video System</b>		
	Office of Preparation: Strategic Management Division (wdp)		
	<b>CALEA:</b>	41.3.8	
	<b>VLEPSC:</b>	OPR.01.11.a,b	
LEGAL REVIEW DATE:	August 20, 2015	PRESCRIBED DATE:	8/28/15
City Attorney:	Wayne Ringen	City Manager/Director of Public Safety:	[Signature]
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		[Signature]	

## Purpose

This order sets policy for utilizing In-Car Video Systems, establishes procedures for using the system and for storing, copying, distributing, reviewing and documenting recorded information.

## Policy (CALEA 41.3.8.a)

The Norfolk Police Department will utilize in-car video technology to document officer/citizen interactions during traffic stops and other significant incidents when recording capabilities permit. The use of audio/visual devices within the operational environment of the department provides an efficient modality towards efforts to deliver optimal law enforcement services to the citizens of Norfolk. The Norfolk Police Department will utilize the documentation from in-car video recordings to:

- Assess policy, procedures and performance
- Investigate complaints
- Enhance training
- Enhance criminal prosecution
- Assist Administrative reviews

## Supersedes:

1. G.O. ADM-510, dated August 9, 2011
2. Any previously issued directive conflicting with this order

## Order Contents:

- I. Routine Operating Procedures
- II. Evidentiary and Critical Incident Recording Recovery and Downloading
- III. Recording Management
- IV. Command Responsibilities and Training

I. Routine Operating Procedures (CALEA 41.3.8.b/e) (VLEPSC OPR.01.11.a,b)

- A. The In-Car Video System is comprised of five components, the camera, the digital video recorder, the monitor, the hard drive and the wireless audio transmitter/docking station. At the beginning of each shift officers assigned to vehicles equipped with video systems will turn on the system allowing the self-checking feature to inspect each component for proper operation. Officers and supervisors with an In-Car Video System in need of repair will complete and submit PD Form 559: Police Equipment Incident Report. Any malfunctions or damage not reported will be attributed to the officer to whom the vehicle was assigned.
- B. A shift supervisor will insert a blank properly labeled hard drive into the recorder housed in the vault located in the trunk of each vehicle equipped with an In-Car Video System.
- C. Once inserted, the drive will remain in the recorder until it is either fully recorded, or removed under the provisions outlined in this order. Supervisors will be responsible for handling all hard drives including removal from vaults, downloading and overseeing duplications for evidentiary and review purposes.
- D. Officers will turn on the system and ensure it is functioning properly at the start of his/her shift.
- E. Officers will ensure that the In-Car camera lens is clean and unobstructed.
- F. Officers will synchronize the wireless microphone to the base to designate his/her transmitter as the primary, at the beginning of the shift to ensure proper operation of the remote microphone and activation control. The officer shall attach the microphone to their persons and not leave it in the base during the shift. Officers utilizing a Body Worn Camera (BWC) do not have to wear the wireless microphone unless otherwise directed by supervisory personnel.
- G. Officers will monitor the recording time during their respective shifts to ensure sufficient recording time is available. If at any time one hour or less recording time remains on the hard drive, it will be replaced. If the remaining available time is one hour or less during the last hour of the shift, the drive will be removed at the end of the shift and a blank drive will be inserted in the recorder by the on-coming shift supervisor.
- H. All incidents requiring an emergency response by a vehicle equipped with an In-Car Video System will be recorded.
  - 1. The In-Car Video System will automatically initiate by activation of the emergency lights.

2. Officers may manually activate the In-Car Video System to record events prior to the activation of the emergency lights when such recordings may be relevant to the incident. Such use may include recording suspected stolen vehicles, suspicious actions, suspected intoxicated drivers or any other officer/citizen contact.
3. Any on-scene supervisor or officer-in-charge may request the use of an In-Car Video System for critical incident scenes where its use would be advantageous, e.g., hostage/barricade and unruly crowd control incidents.
4. Once initiated, the recording will not be canceled or overridden in any manner until the incident is cleared or with permission from a supervisor when the circumstances no longer require recording i.e., waiting for wreckers or other activities related to the original incident, but not involving interaction with suspects.
5. Under no circumstance will any officer purposely stop, obscure, alter, or in any way interfere with or impede an In-Car Video System recording of an incident in progress. Additionally, officers are forbidden to tamper with or in any way handle or manipulate any blank or recorded hard drive so as to alter or destroy its content or ability to record. The integrity of recordings is paramount and any willful act that violates this section will be subject to strict disciplinary action.

I. Use of In-Car Video System Playback Feature

1. The playback of recorded incidents on the In-Car Video System monitor may be conducted to assist in report writing, making arrest notes, retracing pursuit routes, reviewing audio statements of suspects, and for other legitimate law enforcement purposes. Officers may also use the playback feature to critique their performances and/or the performances of trainees.
2. The detail and quality of the picture on the in-car playback monitor may be insufficient therefore; supervisors may remove drives for playback on a larger screen. Supervisors may remove and view recordings for administrative and/or legitimate law enforcement purposes, however once a drive is removed from the vehicle's recorder/vault, it will not be reinserted into the recorder/vault until it has been downloaded and properly prepped for re-use.
3. Documenting Recorded Incidents via the Electronic Reporting System (ERS)
  - a. Any officer required to report a special incident, vehicle pursuit, or accident involving a police motor vehicle via the ERS for any recorded incident will notify his or her supervisor of that fact and

include in the narrative of the report whether recordings of the incident were made and the vehicle unit number where it may be found.

- b. Any other officer present at an incident for which a report is to be completed via the ERS and who recorded the incident on his/her in-car video system, must notify the reporting officer of the vehicle unit number so that it is included in the officer's report.
    - c. When completing reports via the ERS officers are required to rely upon their own observations, even though recordings may be used to refresh their memories.
  - 4. Officers will not permit any persons other than sworn departmental personnel authorized by their superiors to view playback recordings on their In-Car monitor, but may inform violators of the existence of the recordings and that they may be used in evidence.
- J. Hard drive devices will be removed from the recorder housing for the following reasons:
- 1. When the information recorded is to be used as evidence of a violation for court as directed in Section II. B. 1. of this order.
  - 2. When the information recorded is deemed relevant by a supervisor or the Field Commander for administrative review.
  - 3. When insufficient recording time remains as directed in Section I. G of this order.
  - 4. Whenever a vehicle having an In-Car Video System is removed from service for repairs or maintenance at the City Garage or other repair facility for more than 72 hours.
  - 5. When a supervisor determines that a review of an incident on a larger (more detailed) screen is warranted.
  - 6. In the event of a hard drive malfunction.

**Once a drive is removed from the vehicle's recorder/vault, it will not be reinserted into the recorder/vault until the recordings have been downloaded in accordance to the procedures directed by this order.**



II. Evidentiary and Critical Incident Recording Recovery and Downloading (CALEA 41.3.8.c,d)

The downloaded recordings, which are not identified as having potential evidentiary value will be held for at least 30 days, then will be erased according to the manufacturer's specifications. Recordings identified as having potential evidentiary value, will be held until released by proper authority. Requests of TSU staff for data to be copied to disks for officer court preparation, when needed, will be made as soon as possible, but no later than seven working days prior to trial. Situations beyond officers' control will be handled by supervisors on a case-by-case basis. All deletions must be in accordance with state record retention laws.

Most traffic interactions will occur prior to activation of the recording system, so that the recording will not often record the actual interaction itself. The In-Car Video System will, often record other highly relevant events, such as the conduct of the violator after pursuit is undertaken, and the statements and conduct of the violator and the officer during the stop, which may be important to credibility. Recordings containing such documentation will be handled as follows:

- A. Recordings containing documentation relevant to minor traffic violations or probable cause in DUI arrests, or other misdemeanors, will be handled as follows:
  - 1. The vehicle unit number and date will be recorded in the officer's notes.
  - 2. The hard drive will be downloaded as directed in Section III. A of this order.
  - 3. An attested true copy from the original recording containing the relevant incident will be made and kept available for trial or other use. The attested true copy recording will be placed on a voucher as evidence when a criminal proceeding is involved, or turned over to appropriate supervisors if there is a potential for administrative review.
- B. Recordings documenting significant events such as police vehicle accidents, pursuits, assaults, use of firearms, serious violations and or felonies, such as Hit and Run with serious injuries, assaults and felony endangerment (evasion) may be needed as evidence for court and administrative reviews. In such cases two or more copies of the incident will be made following the guidelines listed below.
  - 1. Recordings that will be held as evidence for court.
    - a. A supervisor will have an attested true original copy of the recording containing the specific incident made by the department's designee. (See Attested True-Copy Form, Attachment A).

- b. The arresting officer, as directed in G.O. ADM-410: Property and Evidence, will voucher the attested true copy as evidence.
- c. The department's designee, and not the arresting officer, will appropriately designate the recording as evidentiary.
- d. The voucher number and date will be included in the officer's arrest notes.

2. Recordings held for administrative reviews:

- a. The supervisor removing the hard drive will maintain custody until it is secured in the appropriate command's storage facility or is turned over to the appropriate administrative authority.
  - (1) If the hard drive is taken directly to the command for downloading, an attested true copy containing the entire incident will be made and held for the appropriate administrative reviewing authority. A second attested true copy will be made and provided to the City Attorney's office.
  - (2) If the proper authority takes custody of the hard drive from a supervisor at the scene, the person taking custody will document custody and ensure it is presented to the appropriate command for downloading and will request that an attested true copy of the recording be made. A second attested true copy will be made and provided to the City Attorney's office.
- b. The supervisor removing the hard drive will notify the Field Commander of the vehicle number, date and location of the incident, and ensure that the same information is noted in the appropriate incident documentation.

- C. All transactions regarding possession and copying of hard drives will be recorded as directed in Section III. B of this order.

III. Recording Management (CALEA 41.3.8.d,g)

Commands will ensure that inventories are sufficient to meet daily needs and the storing, tracking, distribution and use of digital video discs (DVDs) and equipment conform to guidelines established in this order.

A. DVDs

1. Only Department issued DVDs will be used in the systems.
2. DVDs will be labeled with the information provided on form PD 540: Media Reproduction. A completed PD 540 form will accompany all In-Car Video System recordings.
3. The DVDs will be stored in a protected and secured facility with limited and documented access. Storage units should be designed to facilitate retrieving discs for review and separating blank and attested true copies from recordings held for long term storage. The particular design and placement of storage units will be left to the individual commands provided security and access control is maintained.

Attested true copies of recordings released by proper authority will be returned to the originating command for appropriate disposal.

4. Recordings will be viewed on equipment in the respective command facility. Supervisors will randomly select one officer per month for the purpose of audio visual data and performance review. The reviewing supervisor will then randomly select three audio visual recordings and review them with the officer. A positive and negative critique of the officer's performance regarding each of the three videos will then take place. Results of the review will be noted on PD Form 715: Audio Visual Recording Review (Attachment B). Supervisors will give positive and negative feedback at the time of review. The review of in-car video system recordings will also be documented in the command record.
5. Each command with In-Car Video Systems will have copying equipment for producing recordings as directed in this order. Designated personnel in each command will be trained in the use of the copying equipment. The designated personnel will be responsible for producing and documenting the distribution of all copies within their respective commands. **Unauthorized copying and/or distribution of any recorded incident are prohibited.** Original recordings may only be copied for the following purposes:
  - a. To produce copies of specific incidents in their entirety to be held as evidence in the Property and Evidence Unit as directed in Section II. B. 1. of this order.
  - b. To produce copies of specific incidents in their entirety for administrative reviews as directed in Section II. B. 2. of this order.
  - c. To produce copies of specific incidents to comply with Freedom of Information Act requests, after authorization from the Chief of Police.

- d. To produce copies of incidents for training purposes. Copies made for training purposes will be documented as directed in Section III. A. 6. of this order.
  - e. All copies of incidents recorded on an In-Car Video System will be made from the original recording, and such recordings will be documented as directed in this order. Copies will not be made from copies.
6. Copies made from an original recording will be labeled with the word "Copy". All copies will be labeled, documented, and will adhere to form PD 540. Documentation of copy production and distribution will be maintained as directed in Section III. B of this order.

B. Records and Documentation

Each command assigned In-Car Video Systems will maintain records documenting all recording transactions, within their respective division. Labeling specifics for labeling both original and copies of recordings are outlined on form PD 540, Media Reproduction.

IV. Command Responsibilities and Training (CALEA 41.3.8.f)

- A. Each command assigned In-Car Video Systems will be responsible, in general, for ensuring the policies and procedures established in this order are followed, and specifically, for ensuring all assigned equipment is properly used, inspected, and maintained; that all sworn personnel in their respective commands are adequately trained to use the In-Car Video System; and that sufficient personnel are trained and designated to perform the specific duties of down loading and management directed in this order.
- B. Officers and supervisors must complete approved training to ensure proper use and operation. In-service training will be required to ensure continued effective use, proper calibration and function, and to incorporate changes, updates, or other revisions in policy and equipment.

Related Documents:

- 1. G.O. ADM-410: Property and Evidence
- 2. G.O. OPR-140: Special Incidents
- 3. G.O. OPR-145: Electronic Reporting System
- 4. G.O. OPR-715: Body Worn Cameras

Attachments:

- A. Attested True Copy Form
- B. PD Form 715: Audio Visual Recording Review





## Certificate of True-Copy Production

I, \_\_\_\_\_ do attest that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ that I did record on a digital video disc a specific incident in its entirety from the original recording identified by number \_\_\_\_\_. The specific incident recorded began on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_:\_\_\_\_ (am pm) and ended on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_:\_\_\_\_ (am pm). The attested copy, identified as \_\_\_\_\_ has been labeled to include the source, date of production, type of incident, date and times of incident, officer(s) involved, and my initials.

\_\_\_\_\_  
(name)

\_\_\_\_/\_\_\_\_/\_\_\_\_  
(date)

\_\_\_\_\_  
(witness)

\_\_\_\_/\_\_\_\_/\_\_\_\_  
(date)

# Norfolk Police Department

## Audio Visual Recording Review

PD 715

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Officer: \_\_\_\_\_ In-Car: ☐ BWC: ☐

Duty Assignment: \_\_\_\_\_

Video Data Reviewed: CAD Number 1: \_\_\_\_\_

CAD Number 2: \_\_\_\_\_

CAD Number 3: \_\_\_\_\_

Positive Performance Noted: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Negative Performance Noted: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Supervisor Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Officer Comments (if any): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Corrective Action if Needed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Officer Signature: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_

*To be completed according to G.O.s OPR-715: Body Worn Cameras and ADM-510: In-Car Video System*